# UNITED STATES PATENT AND TRADEMARK OFFICE

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| 10/035,712 | 11/08/2001 | Richard A. Morris | 020431.1081 | 4170 |

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| 5073 | 7590 | 01/04/2005 | EXAMINER |

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| ART UNIT | PAPER NUMBER |
|---|---|
| 2121 | |

DATE MAILED: 01/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

| | | Application No. | Applicant(s) |
| :---: | :---: | :--- | :--- |
| **Office Action Summary** | | 10/035,712 | MORRIS ET AL. |
| | | Examiner | Art Unit | |
| | | Meltin Bell | 2121 | |

*-- The MAILING DATE of this communication appears on th  cover sh  t with the correspond nc  address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on _28 September 2004_.

2a)☐ This action is **FINAL**.     2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) _1-31_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-31_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _18 November 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All  b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

# DETAILED ACTION

This action is responsive to application **10/035,712** filed **11/8/01** as well as the
Specification Changes and Amendment filed 9/28/04.  Claims 1-31 filed by the applicant
have been entered and examined.  An action on the merits of claims 1-31 appears
below.

## *Claim Rejections - 35 USC § 103*

Applicant's arguments have been fully considered, but are moot in view of new
grounds of rejection.  The following is a quotation of 35 U.S.C. 103(a) which forms the
basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors.  In considering patentability of
the claims under 35 U.S.C. 103(a), the Office presumes that the subject matter of the
various claims was commonly owned at the time any inventions covered therein were
made absent any evidence to the contrary.  Applicant is advised of the obligation under
37 CFR 1.56 to point out the inventor and invention dates of each claim that was not
commonly owned at the time a later invention was made in order for the Office to
consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)
prior art under 35 U.S.C. 103(a).

Claims 1-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over

*Hansen* USPN 6,128,759 "Flexible test environment for automatic test equipment"

(October 3, 2000) in view of *Cessna et al* USPN 6,510,420 "Framework for dynamic

hierarchical grouping and calculation based on multidimensional member

characteristics" (Filed September 30, 1999) and in further view of *Weinberg et al* USPN

6,360,332 "Software system and methods for testing the functionality of a transactional

server" (Filed June 21, 1999).

**Regarding claim 1:**

*Hansen* teaches,

- determining a sequence of one or more actions associated with a member selection

tree, the actions collectively selecting one or more members from a hierarchy of

members (Abstract, "A flexible test ... distributed tester architecture"; Figs. 3A-E;

column 3, lines 33-38, "It would therefore ... the user interface")

- the sequence of actions in a member selection script (column 11, lines 18-27, "The

end leaf ... a similar manner"; column 13, lines 60-67, "The test engineer ... the test

engineer"; column 14, "lines 1-12, "can select LOOP ... to start execution")

- executing the member selection script to select one or more members after the

hierarchy of members has been modified (column 14, lines 48-67, "After the trees ...

newly created trees"; column 15, lines 1-6, "The production worker ... tree are

executed")

However, *Hansen* doesn't explicitly teach the hierarchy of members being associated

with a particular dimension of an organization of data or recording the sequence of

actions in a member selection script while *Cessna et al* teaches,

- determining (column 7, lines 3-17, "The invention effectively ... on member

characteristics") a sequence (column 10, lines 34-42, "Characteristic orderings

determine ... the characteristic information") of one or more actions (column 11, lines

16-30, "The implementation of ... in a hierarchy") associated with a member selection

(column 4, lines 56-63, "Planning software 42 comprises ... set of members"), the

actions collectively (column 9, lines 42-45, "Characteristic Data Set ... in a dimension")

selecting one or more members from a hierarchy of members, the hierarchy of

members being associated with a particular dimension of an organization of data

(column 1, lines 33-42, "One of the ... within a hierarchy")

*Weinberg et al* teaches,

- recording the sequence of actions in a member selection script (Abstract, "A testing

tool ... other data sets"; Figs. 6A-C)

Motivation - The portions of the claimed method would have been a highly desirable

feature in this art for dynamically building hierarchical groupings of business information

based on member characteristics (*Cessna et al*, Abstract, "A system and ... the

hierarchical levels") and editing tests without knowing a scripting or other programming

language (*Weinberg et al,* Abstract, "A testing tool ... other data sets"). Therefore, it

would have been obvious to one of ordinary skill in the art at the time the invention was

made, to modify *Hansen* as taught by *Cessna et al* and *Weinberg et al* for the purpose

of dynamically building hierarchical groupings of business information as well as editing

tests without knowing a programming language.

**Regarding claim 2:**

The rejection of claim 2 is the same as that for claim 1 as recited above since the stated

limitations are set forth in the references.

**Regarding claim 3:**

The rejection of claim 3 is the same as that for claim 1 as recited above since the stated

limitations are set forth in the references.

**Regarding claim 4:**

The rejection of claim 4 is the same as that for claim 1 as recited above since the stated

limitations are set forth in the references.

**Regarding claim 5:**

The rejection of claim 5 is similar to that for claim 1 as recited above since the stated

limitations are set forth in the references. Claim 5's limitations difference is taught in

*Hansen*:

- selecting or deselecting one or more levels of the hierarchy from which members are

to be selected, the members being selectable only from selected levels (column 7, lines

13-31, "The tester operator ... the minus sign 310"; column 13, lines 60-67, "The test

engineer ... the test engineer"; column 14, "lines 1-12, "can select LOOP ... to start

execution")

**Regarding claim 6**:

The rejection of claim 6 is similar to that for claim 1 as recited above since the stated limitations are set forth in the references. Claim 6's limitations difference is taught in *Hansen*:

- one or more of the actions comprise expanding a member to view the children of the member (column 7, lines 13-31, "The tester operator ... the minus sign 310")

- the selection of an expanded member causing only the selection of the expanded member (column 13, lines 60-67, "The test engineer ... the test engineer"; column 14, "lines 1-12, "can select LOOP ... to start execution")

**Regarding claim 7**:

The rejection of claim 7 is similar to that for claim 1 as recited above since the stated limitations are set forth in the references. Claim 7's limitations difference is taught in *Weinberg et al*:

- one or more of the actions comprise collapsing a member to hide the children of the member (Figs. 3A, 5E)

*Hansen*:

- the selection of an expanded member causing only the selection of the expanded member (column 7, lines 13-38, "The tester operator ... be visually expanded"; column 13, lines 60-67, "The test engineer ... the test engineer"; column 14, "lines 1-12, "can select LOOP ... to start execution")

**Regarding claim 8:**

The rejection of claim 8 is similar to that for claim 1 as recited above since the stated

limitations are set forth in the references. Claim 8's limitations difference is taught in

*Hansen*:

- one or more of the actions comprise selecting or deselecting one or more members

from the hierarchy (column 7, lines 13-31, "The tester operator ... the minus sign 310";

column 13, lines 60-67, "The test engineer ... the test engineer"; column 14, "lines 1-12,

"can select LOOP ... to start execution")

**Regarding claim 9:**

The rejection of claim 9 is similar to that for claim 1 as recited above since the stated

limitations are set forth in the references. Claim 9's limitations difference is taught in

*Weinberg et al*:

- the one or more actions are recorded in the member selection script using one or more

commands, the commands and one or more parameters associated with each

command identifying the one or more actions (column 23, lines 4-24, "The testing tool

... a similar fashion")

**Regarding claim 10:**

The rejection of claim 10 is similar to that for claim 1 as recited above since the stated

limitations are set forth in the references. Claim 10's limitations difference is taught in

*Weinberg et al*:

- a user manually generates the member selection script (column 14, lines 46-53,

"Various options exist ... all form arguments")

**Regarding claim 11:**

The rejection of claim 11 is the same as that for claim 1 as recited above since the

stated limitations are set forth in the references.

**Regarding claim 12:**

*Hansen* teaches,

- determine a sequence of one or more actions associated with a member selection

tree, the actions collectively selecting one or more members from a hierarchy of

members (Abstract, "A flexible test ... distributed tester architecture"; Figs. 3A-E;

column 3, lines 33-38, "It would therefore ... the user interface")

- the sequence of actions in a member selection script (column 11, lines 18-27, "The

end leaf ... a similar manner"; column 13, lines 60-67, "The test engineer ... the test

engineer"; column 14, "lines 1-12, "can select LOOP ... to start execution")

- execute the member selection script to select one or more members after the

hierarchy of members has been modified (column 14, lines 48-67, "After the trees ...

newly created trees"; column 15, lines 1-6, "The production worker ... tree are

executed")

However, *Hansen* doesn't explicitly teach the hierarchy of members being associated

with a particular dimension of an organization of data or recording the sequence of

actions in a member selection script while *Cessna et al* teaches,

- determining (column 7, lines 3-17, "The invention effectively ... on member

characteristics") a sequence (column 10, lines 34-42, "Characteristic orderings

determine ... the characteristic information") of one or more actions (column 11, lines

16-30, "The implementation of ... in a hierarchy") associated with a member selection

(column 4, lines 56-63, "Planning software 42 comprises ... set of members"), the

actions collectively (column 9, lines 42-45, "Characteristic Data Set ... in a dimension")

selecting one or more members from a hierarchy of members, the hierarchy of

members being associated with a particular dimension of an organization of data

(column 1, lines 33-42, "One of the ... within a hierarchy")

*Weinberg et al* teaches,

- record the sequence of actions in a member selection script (Abstract, "A testing tool

... other data sets"; Figs. 6A-C)

Motivation - The portions of the claimed system would have been a highly desirable

feature in this art for dynamically building hierarchical groupings of business information

based on member characteristics (*Cessna et al*, Abstract, "A system and ... the

hierarchical levels") and editing tests without knowing a scripting or other programming

language (*Weinberg et al,* Abstract, "A testing tool ... other data sets"). Therefore, it

would have been obvious to one of ordinary skill in the art at the time the invention was

made, to modify *Hansen* as taught by *Cessna et al* and *Weinberg et al* for the purpose

of dynamically building hierarchical groupings of business information as well as editing

tests without knowing a programming language.

**Regarding claim 13:**

The rejection of claim 13 is the same as that for claim 12 as recited above since the

stated limitations are set forth in the references.

**Regarding claim 14:**

The rejection of claim 14 is the same as that for claim 12 as recited above since the

stated limitations are set forth in the references.

**Regarding claim 15:**

The rejection of claim 15 is the same as that for claim 12 as recited above since the

stated limitations are set forth in the references.

**Regarding claim 16:**

The rejection of claim 16 is similar to that for claim 12 as recited above since the stated

limitations are set forth in the references.  Claim 16's limitations difference is taught in

*Hansen*:

- selecting or deselecting one or more levels of the hierarchy from which members are

to be selected, the members being selectable only from selected levels (column 7, lines

13-31, "The tester operator ... the minus sign 310"; column 13, lines 60-67, "The test

engineer ... the test engineer"; column 14, "lines 1-12, "can select LOOP ... to start

execution")

**Regarding claim 17:**

The rejection of claim 17 is similar to that for claim 12 as recited above since the stated

limitations are set forth in the references.  Claim 17's limitations difference is taught in

*Hansen*:

- one or more of the actions comprise expanding a member to view the children of the

member (column 7, lines 13-31, "The tester operator ... the minus sign 310")

- the selection of an expanded member causing only the selection of the expanded member (column 13, lines 60-67, "The test engineer ... the test engineer"; column 14, "lines 1-12, "can select LOOP ... to start execution")

**Regarding claim 18:**

The rejection of claim 18 is similar to that for claim 12 as recited above since the stated limitations are set forth in the references. Claim 18's limitations difference is taught in *Weinberg et al*:

- one or more of the actions comprise collapsing a member to hide the children of the member (Figs. 3A, 5E)

*Hansen*:

- the selection of an expanded member causing only the selection of the expanded member (column 7, lines 13-38, "The tester operator ... be visually expanded"; column 13, lines 60-67, "The test engineer ... the test engineer"; column 14, "lines 1-12, "can select LOOP ... to start execution")

**Regarding claim 19:**

The rejection of claim 19 is similar to that for claim 12 as recited above since the stated limitations are set forth in the references. Claim 19's limitations difference is taught in *Hansen*:

- one or more of the actions comprise selecting or deselecting one or more members from the hierarchy (column 7, lines 13-31, "The tester operator ... the minus sign 310"; column 13, lines 60-67, "The test engineer ... the test engineer"; column 14, "lines 1-12, "can select LOOP ... to start execution")

**Regarding claim 20:**

The rejection of claim 20 is similar to that for claim 12 as recited above since the stated

limitations are set forth in the references.  Claim 20's limitations difference is taught in

*Weinberg et al*:

- the one or more actions are recorded in the member selection script using one or more

commands, the commands and one or more parameters associated with each

command identifying the one or more actions (column 23, lines 4-24, "The testing tool

... a similar fashion")

**Regarding claim 21:**

The rejection of claim 21 is the same as that for claim 12 as recited above since the

stated limitations are set forth in the references.

**Regarding claim 22:**

*Hansen* teaches,

- determine a sequence of one or more actions associated with a member selection

tree, the actions collectively selecting one or more members from a hierarchy of

members (Abstract, "A flexible test ... distributed tester architecture"; Figs. 3A-E;

column 3, lines 33-38, "It would therefore ... the user interface")

- the sequence of actions in a member selection script (column 11, lines 18-27, "The

end leaf ... a similar manner"; column 13, lines 60-67, "The test engineer ... the test

engineer"; column 14, "lines 1-12, "can select LOOP ... to start execution")

- execute the member selection script to select one or more members after the

hierarchy of members has been modified (column 14, lines 48-67, "After the trees ...

newly created trees"; column 15, lines 1-6, "The production worker ... tree are

executed")

However, *Hansen* doesn't explicitly teach the hierarchy of members being associated

with a particular dimension of an organization of data or recording the sequence of

actions in a member selection script while *Cessna et al* teaches,

- determining (column 7, lines 3-17, "The invention effectively ... on member

characteristics") a sequence (column 10, lines 34-42, "Characteristic orderings

determine ... the characteristic information") of one or more actions (column 11, lines

16-30, "The implementation of ... in a hierarchy") associated with a member selection

(column 4, lines 56-63, "Planning software 42 comprises ... set of members"), the

actions collectively (column 9, lines 42-45, "Characteristic Data Set ... in a dimension")

selecting one or more members from a hierarchy of members, the hierarchy of

members being associated with a particular dimension of an organization of data

(column 1, lines 33-42, "One of the ... within a hierarchy")

*Weinberg et al* teaches,

- record the sequence of actions in a member selection script (Abstract, "A testing tool

... other data sets"; Figs. 6A-C)

Motivation - The portions of the claimed system would have been a highly desirable

feature in this art for dynamically building hierarchical groupings of business information

based on member characteristics (*Cessna et al*, Abstract, "A system and ... the

hierarchical levels") and editing tests without knowing a scripting or other programming

language (*Weinberg et al,* Abstract, "A testing tool ... other data sets"). Therefore, it

would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Hansen* as taught by *Cessna et al* and *Weinberg et al* for the purpose of dynamically building hierarchical groupings of business information as well as editing tests without knowing a programming language.

**Regarding claim 23**:

The rejection of claim 23 is the same as that for claim 22 as recited above since the stated limitations are set forth in the references.

**Regarding claim 24**:

The rejection of claim 24 is the same as that for claim 22 as recited above since the stated limitations are set forth in the references.

**Regarding claim 25**:

The rejection of claim 25 is the same as that for claim 22 as recited above since the stated limitations are set forth in the references.

**Regarding claim 26**:

The rejection of claim 26 is similar to that for claim 22 as recited above since the stated limitations are set forth in the references. Claim 26's limitations difference is taught in *Hansen*:

- selecting or deselecting one or more levels of the hierarchy from which members are to be selected, the members being selectable only from selected levels (column 7, lines 13-31, "The tester operator ... the minus sign 310"; column 13, lines 60-67, "The test engineer ... the test engineer"; column 14, "lines 1-12, "can select LOOP ... to start execution")

**Regarding claim 27:**

The rejection of claim 27 is similar to that for claim 22 as recited above since the stated

limitations are set forth in the references. Claim 27's limitations difference is taught in

*Hansen*:

- one or more of the actions comprise expanding a member to view the children of the

member (column 7, lines 13-31, "The tester operator ... the minus sign 310")

- the selection of an expanded member causing only the selection of the expanded

member (column 13, lines 60-67, "The test engineer ... the test engineer"; column 14,

"lines 1-12, "can select LOOP ... to start execution")

**Regarding claim 28:**

The rejection of claim 28 is similar to that for claim 22 as recited above since the stated

limitations are set forth in the references. Claim 28's limitations difference is taught in

*Weinberg et al*:

- one or more of the actions comprise collapsing a member to hide the children of the

member (Figs. 3A, 5E)

*Hansen*:

- the selection of an expanded member causing only the selection of the expanded

member (column 7, lines 13-38, "The tester operator ... be visually expanded"; column

13, lines 60-67, "The test engineer ... the test engineer"; column 14, "lines 1-12, "can

select LOOP ... to start execution")

**Regarding claim 29:**

The rejection of claim 29 is similar to that for claim 22 as recited above since the stated limitations are set forth in the references. Claim 29's limitations difference is taught in *Hansen*:

- one or more of the actions comprise selecting or deselecting one or more members from the hierarchy (column 7, lines 13-31, "The tester operator ... the minus sign 310"; column 13, lines 60-67, "The test engineer ... the test engineer"; column 14, "lines 1-12, "can select LOOP ... to start execution")

**Regarding claim 30:**

The rejection of claim 30 is similar to that for claim 22 as recited above since the stated limitations are set forth in the references. Claim 30's limitations difference is taught in *Weinberg et al*:

- the one or more actions are recorded in the member selection script using one or more commands, the commands and one or more parameters associated with each command identifying the one or more actions (column 23, lines 4-24, "The testing tool ... a similar fashion")

**Regarding claim 31:**

The rejection of claim 31 is the same as that for claim 22 as recited above since the stated limitations are set forth in the references.

## RESPONSE TO APPLICANTS' AMENDMENT REMARKS

### Objections - Specification, Claims

Applicant requests favorable action based on the amended specification

(Amendment REMARKS page 12, paragraph 2) and amended claims 21 and 31

(Amendment REMARKS page 12, paragraph 3). Applicant's requests have been fully

considered and are mostly persuasive. Except for a substitution of 'hampering' for 'are

hampered' on page 13, line 16, the objections to the claims and specification are

withdrawn.

### Claim Rejections - 35 USC § 103

Applicant argues that Hansen USPN 6,128,759, Noser "Dynamic 3D visualization of

database-defined tree structures on the WWW by using rewriting systems" and

Weinberg USPN 6,360,332 offer insufficient evidence of a motivation to combine and do

not disclose all elements of the pending claims, whether considered singly or in

combination (Amendment REMARKS page 12, last paragraph and page 13, paragraph

1). More specifically, applicant argues that

- Noser does not disclose determining a sequence of one or more actions

  associated with a member selection tree, the actions collectively selecting one or

  more members from a hierarchy of members (Amendment REMARKS page 14,

  paragraph 3),

- Noser's motivation for modifying Hansen would not be obvious to one of ordinary

  skill in the art (Amendment REMARKS page 17, paragraph 2),

- none of the references disclose claim 3, 14 and 24's one or more of the actions

  comprise selecting the dimension from which members are to be selected

  (Amendment REMARKS page 15, paragraph 1) and

- Hansen does not disclose determining a sequence of actions that collectively

  select one or more members from a hierarchy of members, selecting particular

  test actions (leaves) from trees 301 or 330 to execute in a test sequence, a

  sequence of actions in a member selection script and/or executing a member

  selection script to select one or more members after a hierarchy of members has

  been modified (Amendment REMARKS page 13, last paragraph and page 14,

  paragraph 1).

Applicant's arguments have been fully considered, but while many are persuasive,

they are considered moot in view of new grounds of rejection. In agreeing with the

Applicant on Noser's failings, column 7, lines 3-17, column 10, lines 34-42, column 11,

lines 16-30, column 4, lines 56-63, column 9, lines 42-45 and column 1, lines 33-42 of

Cessna USPN 6,510,420 are cited individually and in combination with Hansen's

Abstract, Figs. 3A-E and column 3, lines 33-38 for explicitly and inherently disclosing

subject matter set forth in the claims by the applicants: determining a sequence of one

or more actions associated with a member selection tree, the actions collectively

selecting one or more members from a hierarchy of members, one or more of the

actions comprise selecting the dimension from which members are to be selected.

In regards to Hansen's failings, however, it is noted that selecting particular test

actions (leaves) from trees 301 or 330 to execute in a test sequence was not part of the

original disclosure. Though this may introduce new matter, the amendments to the

claims and specification do not offer supporting evidence. Consequently, selecting

particular test actions (leaves) from trees 301 or 330 to execute in a test sequence is

being interpreted as a typo. Hansen's remaining failings (determining a sequence of

actions that collectively select one or more members from a hierarchy of members, a

sequence of actions in a member selection script and executing a member selection

script to select one or more members after a hierarchy of members has been modified)

are disagreed with as being met in Figs. 3A-E, column 3, lines 33-38, the Abstract,

column 11, lines 18-27, column 13, lines 60-67, column 14, "lines 1-12, column 14, lines

48-67 and column 15, lines 1-6 when combined with Cessna column 7, lines 3-17,

column 10, lines 34-42, column 11, lines 16-30, column 4, lines 56-63, column 9, lines

42-45, column 1, lines 33-42 and Weinberg's Abstract and Figs. 6A-C. Furthermore,

dynamically building hierarchical groupings of business information based on member

characteristics and editing tests without knowing a programming language are taught in

the Abstracts of Cessna and Weinberg, respectively, as the purpose and motivation for

modifying Hansen.

As set forth above with regards to Hansen, Cessna and Weinberg, the items listed

explicitly and inherently teach each element of the applicants' claimed limitations.

Applicants have not set forth any distinction or offered any dispute between the claims

of the subject application, Hansen's Flexible test environment for automatic test

equipment, Cessna's Framework for dynamic hierarchical grouping and calculation

based on multidimensional member characteristics and Weinberg's Software system

and methods for testing the functionality of a transactional server.

### *Conclusion*

The prior art made of record is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the

Office should be directed to Meltin Bell whose telephone number is 571-272-3680. This

Examiner can normally be reached on Mon - Fri 7:30 am - 4:00 pm.

If attempts to reach this Examiner by telephone are unsuccessful, his supervisor,

Anthony Knight, can be reached on 571-272-3687. The fax phone number for the

organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is 571-272-

2100.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Anthony Knight
Supervisory Patent Examiner
Group 3600

MB /au-n,
December 21, 2004